

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

CHARLES NANCE

PLAINTIFF

v.

No. 1:20CV15-GHD-DAS

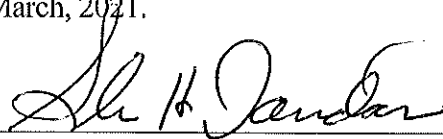
JAMES T. KITCHENS, ET AL.

DEFENDANTS

ORDER DENYING PLAINTIFF'S MOTION [17]
FOR DEFAULT JUDGMENT

This matter comes before the court on the plaintiff's motion [17] for default judgment. All defendants who have been served with process have answered and joined the issues in this case. "Because of the seriousness of a default judgment, and although the standard of review is abuse of discretion, even a slight abuse of discretion may justify reversal." *CJC Holdings, Inc. v. Wright & Lato, Inc.*, 979 F.2d 60, 63 n. 1 (5th Cir.1992). (quotations omitted). See also *United States v. One Parcel of Real Property*, 763 F.2d 181, 183 (5th Cir.1985). Furthermore, federal courts should not be agnostic with respect to the entry of default judgments, which are "generally disfavored in the law" and thus "should not be granted on the claim, without more, that the defendant had failed to meet a procedural time requirement." *Mason & Hanger-Silas Mason Co. v. Metal Trades Council*, 726 F.2d 166, 168 (5th Cir.1984). Thus, "where there are no intervening equities any doubt should, as a general proposition, be resolved in favor of the movant to the end of securing a trial upon the merits." *Gen. Tel. Corp. v. Gen. Tel. Answering Serv.*, 277 F.2d 919, 921 (5th Cr.1960). As all served defendants have answered in this case, the instant motion [17] for default judgment is **DENIED**.

SO ORDERED, this, the 16th day of March, 2021.


SENIOR UNITED STATES DISTRICT JUDGE